

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DASHAWN CARTER #840787,

Petitioner,

Case No. 1:19-cv-543

v.

Hon. Hala Y. Jarbou

O'BELL WINN,

Respondent.

_____ /

ORDER

This is a habeas corpus petition filed pursuant to 28 U.S.C. § 2254. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on January 22, 2021, recommending that this Court deny the petition. The Report and Recommendation was duly served on the parties. No objections have been filed, *see* 28 U.S.C. § 636(b)(1), and the Court issues this Order. The Court will also issue a Judgment in this § 2254 proceeding. *See Gillis v. United States*, 729 F.3d 641, 643 (6th Cir. 2013) (requiring a separate judgment in habeas proceedings). Therefore,

IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 15) is **APPROVED** and **ADOPTED** as the Opinion of the Court and the petition for habeas corpus relief (ECF No. 1) is **DENIED** for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that a certificate of appealability pursuant to 28 U.S.C. § 2253(c) is **DENIED** as to each issue asserted. *See* RULES GOVERNING § 2254 CASES, Rule 11 (requiring the district court to “issue or deny a certificate of appealability when it enters a final order”). Petitioner has not demonstrated that reasonable jurists would find the Court’s rulings

debatable or wrong. *Slack v. McDaniel*, 529 U.S. 473 (2000); *Murphy v. Ohio*, 263 F.3d 466, 466-67 (6th Cir. 2001).

Dated: February 12, 2021

/s/ Hala Y. Jarbou

HALA Y. JARBOU
UNITED STATES DISTRICT JUDGE